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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/770,767
Filing Date: January 25, 2001
Appellant(s): KEREN ET AL.

Aaron C. Chatterjee
Reg. No. 41,398
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4/9/07 appealing from the Office action

mailed 8/11/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,278,466	Chen	8-2001
6,195,692	Hsu	2-2001

5,623,587	Bulman	4-1997
6,175,663	Huang	1-2001
6,445,874	Catlow	9-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1.　　　Claims 94-99 and 137 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Hsu (6195692).

Regarding claims 94-95, Chen discloses an apparatus that relates to image animation (Chen: column 1, lines 4-6). This apparatus comprises "generating display elements at a server, the display elements representing at least a portion of a display, and corresponding to a program running at the server for a remote client, wherein one of the display elements is an unmodified object" (Chen: figure 1, wherein the server system comprises the animation authoring system and server system, the client is the playback system; column 4, lines 29-34, wherein the display elements are the dynamic objects and background, which represent a portion of the display; column 5, lines 36-58, wherein the server generates the display elements), "modifying the object, wherein the modification is performed independently of the program" (Chen: column 5, lines 36-58, wherein the modification is the adjustment of the stream to fit the resolution or bandwidth requirements), and "generating a compressed stream for rendering a portion of the display at the client" (Chen: column 5, lines 36-58, wherein the server generates the stream). Although Chen fails to teach the modified object

will be more efficiently converted to a compressed stream, Chen does disclose modifying the object to adapt to the user's bandwidth requirements (Chen: column 5, lines 36-58, column 19, lines 10-35). The examiner notes that a more efficient conversion will take place by dynamically adapting the objects based on user preferences. However, Chen fails to disclose the continuous user interaction as claimed. Hsu teaches that there is a need for an efficient way to provide text, sounds, and video in a simple, intuitive manner (Hsu: column 2, lines 38-44). To help alleviate this need, Hsu discloses "receiving continuous user interaction via the remote client that changes one or more elements of the display wherein the display elements changed is an unmodified object" (Hsu: column 8, lines 27-43, wherein the continuous user interaction is the selection process). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Chen and add the interaction taught by Hsu in order to obtain an apparatus that easily transmits information over a network.

Regarding claims 96-97, Chen discloses "modifying the object to reduce bandwidth requirements or resource requirements" (Chen: figure 18, wherein the reduction of bandwidth or resource requirements is the lowering of the resolution).

Regarding claims 98-99 and 137, although not disclosed, it would have been obvious to move the object to match a block boundary (Official Notice).

Doing so would have been obvious in order to prevent objects from straddling over multiple boundaries.

2.   Claims 100-101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Hsu (6195692) in further view of Bulman (5623587).

Regarding claims 100-101, note the examiners rejection for claim 94, and in addition, claims 100-101 differ from claim 94 in that claims 100-101 further require replacing an object with a different object. Bulman teaches that prior art superposition processing systems are time consuming and require complex calculations (Bulman: column 1, lines 44-48). To help alleviate this problem, Bulman discloses a superposition apparatus that "replaces one object with a different object" (Bulman: figures 12A-E, wherein one object is a person's head and the other object is an animals body). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the superposition system taught by Bulman in order to obtain an apparatus that operates more efficiently by providing a system that is less time consuming with simple calculations.

3.   Claims 102-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Hsu (6195692) in further view of Bulman (5623587) in further view of Huang (6175663).

Regarding claim 102, note the examiners rejection for claims 100-101, and in addition, claim 102 differs from claims 100-101 in that claim 102 further requires the object to be a text object. Huang teaches that images can be

automatically searched based on recognizing texts (Huang: figures 3-5, column 1, lines 45-55). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the text object taught by Huang in order to obtain an apparatus that operates more efficiently by being able to automatically search objects based on text.

Regarding claim 103, Bulman discloses "the object comprises a background of the display" (Bulman: figure 17, wherein the background is the person).

Regarding claim 104, Bulman discloses "analyzing the object to determine a closest suitable replacement" (Bulman: column 9, lines 38-45, wherein the analyzing is the interpolations between the images).

Regarding claim 105, Huang discloses "changing a font definition" (Huang: column 7, lines 1-6, wherein changing the font definition is superimposing the letter with different fonts, colors, and/or sizes).

Regarding claim 106, Bulman discloses "modifying at least one color of the object" (Bulman: column 6, lines 1-5).

Regarding claims 107-108, although not disclosed, it would have been obvious to reduce the spatial resolution and color resolution of the colors (Official Notice). Doing so would have been obvious in order to allow the user to adjust the space between color and black and white.

Regarding claim 109, Chen discloses "reducing a spatial resolution of the object" (Chen: column 5, lines 35-55, wherein the spatial resolution can be adjusted).

Regarding claims 110-111, Chen discloses "one of the commands comprises a scrolling command and increasing a granularity of scrolling to multiples of block size" (Chen: figures 17-18; column 6, lines 1-6; column 7, lines 23-24, wherein increasing the granularity of scrolling is increasing the pan/zoom or rotation).

4.   Claims 128-136 and 138-139 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (6278466) in view of Hsu (6195692) in further view of Catlow (6445874).

Regarding claim 128, note the examiners rejection for claim 94, and in addition, claim 128 differs from claim 94 in that claim 128 further requires inserting changes corresponding to a priority. Catlow teaches that prior art computing systems require several devices to record and manipulate video clips (Catlow: column 1, lines 53-57). To help alleviate this problem, Catlow discloses "inserting changes corresponding to a priority assigned to other portions of the display that are unchanged at a faster rate" (Catlow: column 2, lines 7-20; column 7, lines 45-62, wherein the clips are adjust based on an assigned priority, the faster rate is only processing the clips that need changed). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the priority assignment taught by Catlow in

order to obtain an apparatus that operates more efficiently by removing
unnecessary hardware.

Regarding claims 129-130, Chen discloses "the user command comprises
a pointing device received via a GUI" (Chen: figure 17, column 24, lines 1-20).

Regarding claim 131, Chen discloses "analyzing the user command to
determine display commands" (Chen: column 24, lines 1-25, wherein analyzing
the user commands is analyzing the user inputs).

Regarding claims 132-133, Chen discloses "the compressed video stream
is generated without first generating a display raster of display commands"
(Chen: figures 1-3, wherein the compressed video stream is generated first).

Regarding claims 134, 136, and 139, note the examiners rejection for
claims 94 and 128.

Regarding claim 135, note the examiners rejection for claim 101.

Regarding claim 138, although not disclosed, it would have been obvious
to replace the background or utilize a pre-compressed background (Official
Notice). Doing so would have been obvious in order to make the apparatus more
efficient by simplifying compression.

(10) Response to Argument

i.   On pages 10-11, appellant argues that Chen in view of Hsu fail to disclose
continuous user interaction with a computer program at a server and an unmodified
object is modified at the server independent of the executed computer program.

Chen illustrates in figure 1 a server system comprising an animation 14 and the server system 16. Chen discloses in column 5, lines 36-56 that the server system is used to provide the animation to a playback system. The animation is stored in a language and bandwidth independent format. The server system can then be used to dynamically create an animation data stream according to the format and bandwidth requirements of the playback system. Hence, the unmodified object or animation stored in an independent format is modified or compressed at the server depending on the bandwidth and playback system capabilities. The examiner relied upon Hsu to teach the continuous user interaction in which Hsu discloses in column 7, lines 23-33 and column 8, lines 27-34. Therefore the combination of Chen and Hsu teach continuous user interaction with a computer program at a server and an unmodified object is modified at the server independent of the executed computer program.

ii.   On page 13, appellant argues that Chen fails to disclose in the server, determining whether the changes warrant an update to an image based in part on one or more of available bandwidth.

Chen discloses in column 5, lines 36-56 that the server system is used to provide the animation to a playback system. The animation is stored in a language and bandwidth independent format. The server system can then be used to dynamically create an animation data stream according to the format and bandwidth requirements of the playback system. Therefore Chen discloses

determining whether the changes warrant an update to an image based in part

on one or more of available bandwidth.

iii.   On pages 13-14, appellant argues that Chen in view of Hsu in further view of

Catlow fail to disclose changes to the display commands are inserted into the

compressed stream at an update frame rate corresponding to a priority assigned to

other portions of the display that are unchanged such that changes to the image are

inserted into the compressed stream at a faster rate than data that does not include

changes.

Chen discloses in column 17, lines 30-42, reducing the temporal

resolution in a request to view the animation at a faster rate. Chen further

discloses in column 24, lines 58-65, a slide bar is used to adjust the resolution.

The examiner notes that changes to the temporal resolution would result in

update frame rate. Further, the examiner notes that it is obvious that changes to

the image are inserted into the compressed stream at a faster rate than data that

does not include changes. Otherwise, the real-time view system of Chen would

not be able to correctly display the images since the changed images would not

be received faster than the unchanged images. The examiner relied upon

Catlow to teach the priority in which Catlow discloses in column 2, lines 14-20.

Therefore the combination of Chen with Catlow teach changes to the display

commands are inserted into the compressed stream at an update frame rate

corresponding to a priority assigned to other portions of the display that are

unchanged such that changes to the image are inserted into the compressed stream at a faster rate than data that does not include changes.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

changes to the display commands are inserted into the compressed stream at an update frame rate corresponding to a priority assigned to other portions of the display that are unchanged such that changes to the image are inserted into the compressed stream at a faster rate than data that does not include changes.
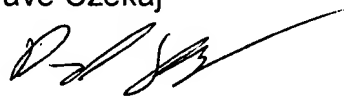
(12) Evidence Appendix

No evidence has been submitted.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Dave Czekaj

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